

Post-Allowance Communication

To clarify the record, the following is noted:

Regarding the Office action of June 26, 2007, the previous rejections (as set forth in the Office action of August 28, 2006) under 35 USC 102 and 103 were obviated by the cancellation of claims 50, 65-67 and 76-80. The rejections were not obviated by the 131 Declaration filed February 28, 2007. The previously applied references of Slaugenhaupt (American Journal of Human Genetics. January 22, 2001), Gill (GenBank Accession No. AF153419, January 2, 2001) and Slaugenhaupt (GenBank Accession No. February 27, 2001) were not applicable to the newly added claims in view of the 132 Declaration filed February 28, 2007, establishing that these references were not prior art 'by another' and in view of the fact that the newly added claims filed April 10, 2007 were entitled to priority to provisional application 60/260,080, filed January 6, 2001. The previously applied references of Anderson et al (American Journal of Human Genetics. January 22, 2001) and Rubin et al (2002/0168565) were not prior art to the claims because the claims as amended in the response of April 10, 2007 were entitled to priority to provisional application 60/260,080, filed January 6, 2001. The previous rejection under 35 USC 102(b) over Boehringer Mannheim did not apply to the claims as amended in the response of April 10, 2007.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carla Myers whose telephone number is 571-272-0747. The examiner can normally be reached on Monday-Thursday (6:30-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla can be reached on 571-272-0735. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Carla Myers/

Primary Examiner, Art Unit 1634